

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
SAN ANGELO DIVISION

MICHAEL D. BITNER,

Plaintiff,

v.

JO ANNE B. BARNHART,  
Commissioner of Social Security,

Defendant.

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Civil Action No. 6:05-CV-083-C  
ECF

**ORDER OF DISMISSAL**

**THIS MATTER** comes before the court on the Report and Recommendation filed July 19, 2006 (Doc. 10). Neither party has filed objections within the period specified in 28 U.S.C. § 636(b)(1).

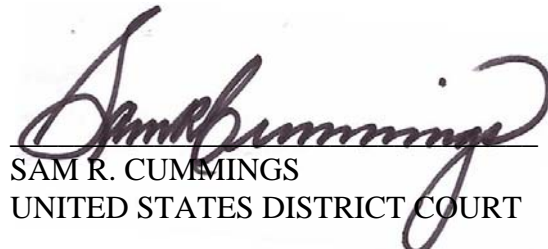
**WHEREFORE,**

**IT IS HEREBY ORDERED** that the Report and Recommendation is adopted by the court.

**IT IS FURTHER ORDERED** that Plaintiff's complaint is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute or comply with the order to show cause.

**IT IS FURTHER ORDERED** that a Judgment in accordance with the terms of this order shall be entered forthwith.

DATED this 5th day of August, 2006.

  
SAM R. CUMMINGS  
UNITED STATES DISTRICT COURT